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DATE: November 18, 2004  
FROM: Stanley A. Kim  
TITLE: Attorney  
FILE NO.: 8002-1  
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TO: Examiner McKelvey, T. Group: 1636

COMPANY: Commissioner for Patents

FAX NO.: 1-703-872-9306

In re Application of: Webster, et al.

Application No. 09/723,326

Examiner: McKelvey, T.

Date Filed: November 28, 2000

Group: 1636

For: MOLECULAR SWITCH FOR REGULATING MAMMALIAN GENE  
EXPRESSION

COMMENTS: Attached please find Reply to Notice of Non-Complaint Amendment.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: WEBSTER, et al.

Application No.: 09/723,326

Examiner: McKelvey, T.

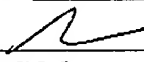
Date Filed: November 28, 2000

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## CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being transmitted by  
facsimile to the United States Patent and Trademark Office at  
(703) 872-9306 on November 18, 2004

  
\_\_\_\_\_, Reg. No. 42,730  
Stanley A. Kim, Ph.D., Esq.

TRANSMITTAL LETTER

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Commissioner for Patents  
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Sir:

Please find enclosed for filing the following:

X Reply to Notice of Non-Compliant Amendment.

The Reply to Notice of Non-Compliant Amendment includes a "Remarks" section as  
well as a corrected "Amendments to the Claims" section.


Although no fee is believed due, please charge any underpayment to Deposit Account  
No. 50-3110. This letter is submitted in duplicate.

Respectfully submitted,

RUDEN, MCCLOSKEY, SMITH,  
SCHUSTER & RUSSELL, P.A.

Dated: November 18, 2004

Docket No: 8002-1

  
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